

## PUBLIC RECORDS REQUEST RESPONSE

|                            |                        |                                   |   |
|----------------------------|------------------------|-----------------------------------|---|
| <b>REQUEST INFORMATION</b> | PRRT #<br><b>16651</b> | DATE OF REQUEST<br><b>5/29/19</b> | DATE REQUEST RECEIVED<br><b>5/29/19</b> |
|----------------------------|------------------------|-----------------------------------|---|

REQUESTER'S NAME: Bill Lueders

ADDRESS:

CITY, STATE, ZIP CODE:

|                               |                         |  |
|-------------------------------|-------------------------|--|
| REQUESTER'S TELEPHONE NUMBER: | REQUESTER'S FAX NUMBER: | REQUESTER'S E-MAIL:<br><b>blueders@gmail.com</b> |
|-------------------------------|-------------------------|--|

REQUEST FORMAT - Request Was: (Check One)

☒ WRITTEN    ☐ VERBAL

☒ The following record(s) were requested.

All records in your possession regarding the April 7, 2019 death of inmate Joseph Bong and any incident reports regarding inmate Bong from Jan. 1 2019 to present.

### RESPONSE:

This is a ☒ Partial ☐ Complete response to your Public Records Request    County location of records: Brown

### SECTION 1: EXISTENCE OF RECORD

- ☐ The entire record(s) requested does not exist.
- ☐ A portion of the record(s) requested does not exist:

### SECTION 2: RIGHT OF ACCESS

#### ☐ NOT A RECORD

- ☐ The entire record(s) requested, do(es) not meet the statutory definition of "Record" per Wis. Stat § 19.32(2g), and is/are therefore exempt from disclosure.
- ☐ A portion of the record(s) requested, do(es) not meet the statutory definition of "Record" per Wis. Stat § 19.32(2g), and is/are therefore exempt from disclosure.

#### ☐ NOT A REQUESTER

- ☐ The requester does not meet the statutory definition of "Requester" per Wis. Stat § 19.32(3), therefore the entire record(s) requested is/are exempt from disclosure.
- ☐ The requester does not meet the statutory definition of "Requester" per Wis. Stat § 19.32(3), for a portion of the record(s) requested, therefore that portion of the record(s) requested is/are exempt from disclosure.

### SECTION 3: ACCESS TO RECORD

- ☐ Entire request granted.
- ☒ Portion of request granted.
- Incident Reports regarding inmate Bong from January 1, 2019 to present. There are portions of these records which contain protected health information of both staff and the inmate. The disclosure of Protected Health Information (PHI), as defined by the Health Insurance Portability and Accountability Act of 1996 (HIPAA), 45 C.F.R. 160.103, is governed by Wis. Stat. § 146.816 and 45 C.F.R. 164.500 – 534. No exceptions for disclosure apply to this request. As a result, the records are redacted.

#### SECTION 4: PROHIBITED FROM ACCESS

☐ **INSUFFICIENTLY LIMITED REQUEST:** Your request is not reasonably limited as to subject matter or length of time. Therefore, the request does not compel access under Wisconsin's Public Records Law.

☐ Entire:

☐ Portion:

☐ **BURDENSOME REQUEST:** Your request is not reasonably limited as to subject matter or length of time. Therefore, the request does not compel access under Wisconsin's Public Records Law.

☐ Entire:

☐ Portion:

☐ **DENIED ACCESS**

☐ Entire:

☐ Portion:

#### SECTION 5: FEES

☐ **FEES REQUIRED – Attach completed DOC-1160F**

☐ **NO FEES**

☐ **PRE PAYMENT RECEIVED**


#### SECTION 6: ADDITIONAL COMMENTS

PRINT OR TYPE RECORD CUSTODIAN'S NAME  
J Perttu

OFFICE / FACILITY REPRESENTED  
GBCI

RECORD CUSTODIAN'S SIGNATURE

DATE SIGNED



6-25-19

**YOUR APPEAL RIGHTS:** If your request was made in writing and all or a portion of the request was denied, you may appeal the denial by writing to the **Office of Records Management Director, Department of Corrections, P.O. Box 7925, Madison, WI 53707-7925** or by sending an email to [DOCPublicRecordsappeal@Wisconsin.gov](mailto:DOCPublicRecordsappeal@Wisconsin.gov) within 30 days of the date of the denial. Please include a copy of your original request as well as a copy of this form. If the Office of Records Management Director upholds the denial decision, you can further appeal by petitioning the Wisconsin Circuit Court for a writ of mandamus ordering release of the record(s), or you may apply to the Attorney General or the District Attorney of the county where the records are held.